

# Town Council Meeting: 09 November 2009



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

---

## Draft MINUTES

**Meeting Call to Order:** Mayor Keller called the meeting to order at 8:00 PM. Present were Councilmembers Irons, Mandel, Schulp, and Wegner. Also present was Administrator Pratt, Margaret Soltan of the *Bugle*, Jennifer Beasley of the *Gazette*, and a number of Town residents.

**Approval of Agenda:** Mayor Keller asked for approval of the agenda, noting that an Executive Session would take place upon adjournment of the regular meeting, and requested that the consideration of the minutes of the October Council meeting be deferred until the December meeting. The modified agenda was approved without objection.

### Mayor's Report:

- Mayor Keller briefed the Council on testimony he had given at a Montgomery County Council hearing on the White Flint Sector Plan, noting that the general tenor of the meeting was supportive of revitalization that entailed a certain degree of increased density. The Mayor further noted that the Town testimony focused on concerns about the impact of increased density on area roads, particularly Strathmore Avenue.
- The Mayor reminded the Council of the reception in honor of retired Town Archivist Barbara Shidler at the Town Hall on Monday evening, November 16<sup>th</sup> at 7:30 PM.
- Mayor Keller announced the resumption of the traditional December dinner with the Town's legislative delegation prior to the Council meeting on December 14<sup>th</sup>, noting that there would be desert and coffee for residents at 7:30 PM so that they could meet Senator Forehand and Delegates Barve, Simmons, and Gilchrist and get the latest news from Annapolis.
- The Mayor reported that he was meeting with second graders from the Garrett Park Elementary School at 10:40 Tuesday morning to speak with them about local government and the job of Mayor.

### Councilmember's Reports on Areas of Responsibility:

- Councilmember Wegner briefed the Council on the on-site meeting that he, the Mayor, and Administrator Pratt had held with a WSSC engineer and a contractor to hear about planned repairs to the main sewer drain that ran down behind the houses on Clermont and Montrose Avenues and passed

through Porcupine Woods. The meeting took place at the Clermont end of the Porcupine Woods path where the repair is to be made by inserting a liner into the existing sewer pipe between the manhole at the path entrance and the next manhole, approximately 150 feet into the woods on the other side of the drainage ditch. Councilmember Wegner noted there was some concern about protecting a Town street tree near the manhole, but that the contractor felt the tree could be adequately protected.

- Councilmember Wegner reported on his attendance the meetings of the White Flint Coalition, noting that the Coalition was trying to reach out to the developers involved in the White Flint Project regarding a number of issues to see if there is a willingness on the developers' part to meet the Coalition part way in making changes in the plan that is going forward at the Montgomery County Council.

### **Action/Discussion:**

- Determination of acceptance of offer by Maryland-National Capital Planning Commission to transfer to the Town of Garrett Park ownership of the Garrett Park Estates Park Activity Building (aka Community Center, Nursery School) and associated property – Mayor Keller opened the discussion by noting that this was the topic for the Executive Session to be held at the close of the regular meeting, and that there would be no vote at this meeting on taking over ownership from the Montgomery County Parks Department. Garrett Park Nursery School Executive Committee Member Gerrilee Bennett asked if a meeting between the Council working group on the Community Center and representatives of the Nursery School could be arranged in the very near future to discuss funding and lease issues. Mayor Keller agreed that such a meeting was needed, that he expected the Council would have specific agenda items after the executive session, and that he would be in touch with the Nursery School soon about setting a date. There was general discussion about the transfer of the Community Center and the Nursery School's proposed renovations.
- Discussion of Land Use Task Force Proposals – Councilmember Irons noted that the Council had discussed both Task Force requests; 1) amending the Town Code to specifically include the County's exemptions to setbacks and 2) clarifying the Council's charge to the Task Force. Councilmember Irons reported that the Council was seeking a legal opinion regarding any changes to the Town's Code, and so no action could be taken until the opinion has been received. Regarding clarification of the charge, the Council will be sending a letter to the Task Force.

### **Town Administrator Report:**

- Monthly Financial Report – Administrator Pratt reviewed the monthly financial report with the Council, noting a significant reduction in projected end-of-year "Free Cash" due to estimates for storm drain repairs at North Kenilworth and Shelley Court drains. Administrator Pratt pointed out that all drains were capable of functioning past the end of the fiscal year, and that he had used very pessimistic estimates for cost, so

that the Council would retain a range of options throughout the balance of the fiscal year.

- Surplus Office Equipment - Administrator Pratt asked that the Council declare a 2002 iMac computer and a 2006 HP Legal-size scanner surplus so that he might either sell them or offer them to a worthy recipient.

Councilmember Mandel **MOVED**

That the computer and scanner described by the Town Administrator be declared surplus and that they first be offered to the Garrett Park Elementary School before being put up for sale. Councilmember Schulp seconded the motion, which was **PASSED** unanimously

**Executive Session:** Councilmember Schulp **MOVED**

That the Council go into Executive Session to consider the acquisition of real property for a public purpose and matters directly related thereto immediately after the adjournment of the regular meeting. Councilmember Irons seconded the motion, which was **PASSED** unanimously.

**Adjournment:** The meeting adjourned at 9:08 PM

Respectfully submitted

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer

Public Body: **Town Council**

Date: **09 November 2009**

Attendance: **Councilmembers Irons, Mandel, Schulp, and Wegner**

Motion By: **Councilmember Schulp**

Second: **Councilmember Irons**

Vote: **4 Aye, 0 Nay**

Place: **Town Hall, 10814 Kenilworth Ave., Garrett Park, MD 20896**

Time: **9:10 PM**

Authority: Annotated Code of Maryland, State Government Article: Sec. 10-508 (a)

---

**Reasons For Closing Meeting**

- [ ] 1. To discuss:
  - (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) any other personnel matter that affects one or more specific individuals.
- [ ] 2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- [ X ] 3. **To consider the acquisition of real property for a public purpose and matters directly related thereto.**
- [ ] 4. To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- [ ] 5. To consider the investment of public funds.
- [ ] 6. To consider the marketing of public securities.
- [ ] 7. To consult with counsel to obtain legal advice on a legal matter.
- [ ] 8. To consult with staff, consultants, or other individuals about pending or potential litigation.
- [ ] 9. To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- [ ] 10. To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.

- [ ] 11. To prepare, administrate, or grade a scholastic, licensing, or qualifying examination.
- [ ] 12. To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- [ ] 13. To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- [ ] 14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.